

III. REMARKS

Status of the Claims

Claims 3 and 6 are canceled. Claims 1,2,4, and 5 remain under consideration.

Summary of the Office Action

Claims 1-6 stand rejected under 35USC103(a) on the basis of the cited reference Holmes, et al, U.S. Patent No. 6,334,056 in view of the disclosure of Wallent et al, U.S. Patent No. 6,366,912. The Examiner is respectfully requested to reconsider his rejection in view of the following remarks. Applicant submits that the cancelation of claims 3 and 6 fully responds to the rejection based on 35USC112.

The Invention

The invention described in this application relates to a mobile communications device that is adapted for use with applications resident on a remote network server. Such applications may subject the mobile device to fraudulent attempts to obtain personal information. Inquiries originating externally from the mobile device are identified by the internal controller of the mobile device and restrictively routed only to a dynamic display. The display of the mobile device is divided into static and dynamic display zones and internally generated inquiries trigger a indicator symbol within the static display. In this manner bogus requests for confidential identifiers may be avoided. None of the cited references either alone or in combination teach such a device.

Discussion of the Cited References

The examiner has cited the reference Holmes, et al as teaching a control processor for operating a mobile device and a server that teaches sending inquiries for confidential information. The security problem, identified in Holmes, is the concern within an intranet server about breaches incoming from mobile devices, not the reverse as taught in the subject application. This is described in column 2, lines 16-29 as follows:

"The intranet may include an interface device which acts as a gateway for communications. Access to the intranet is controlled according to a predetermined criteria. The data gateway may recognize a request from the wireless communications device and routes all communications from these devices through one socket in the gateway to a predetermined interface device, such as an application server. From this interface device, queries may be sent out to the wireless device to enter the appropriate security information for allowing access to the intranet. Once the appropriate information has been entered, and the wireless communication user has been designated as authorized, the interface device directs the requests from the wireless device user to the appropriate applications within the intranet."

There is no teaching in Holmes of security measures for a mobile telephone, since the system of Holmes only addresses security breaches coming from remote wireless communications. The examiner characterizes the deficiencies of Holmes as follows:

"Holmes fails to teach the ability to identify if inquiries are external or internal and the displaying of the result of the identification on the mobile device display."

This is a considerable under statement, since Holmes only shows a small liquid crystal display 14 for showing alphanumeric lines of information. There is no mention of static and dynamic displays nor any indication that security information, with respect to inquiries incoming to the mobile telephone, could be displayed.

The Examiner seeks to combine the teaching of Wallent et al with Holmes. Wallent involves a security system for an intranet network in which inquiries are identified by there origin relative to the network firewall. Access to the local area network (intranet) is obtained through a personal computer having a full screen display (figure 7). There is no mention of wireless communications nor any security problems presented thereby. The Examiner refers to first and second displays, while directing attention to the full screen display presented by MICROSOFT INTERNET EXPLORER on a personal computer monitor shown in figure 7. There is no static and dynamic displays, there is only one display with multiple windows distributed over the area of the screen in a well known manner. The only reference to displaying information that is pertinent is in column 4, lines 48-49 which states, "During the browsing of a Web site, the browser visually indicates the zone corresponding to the Web site". This refers to the classification of web sites into security zones having different security precautions. This is viewed from the internet options screen, as shown in figure 3. This system is complex and requires considerably more processing and memory resources than that available on a mobile telephone. It clearly is not applicable to the subject invention.

There is no mention in either of the cited references of security problems caused by interactive applications used on a mobile telephone. Such mobile telephones have no firewalls on which to rely as in the reference Wallent. Applicant submits that the disclosure of Wallent is far afield from the subject invention and bears no relation to the system of Holmes. Neither of the cited references recognize the problem to which the solution of the subject application is directed. Their teachings, therefore, either alone or in combination, do not render the subject

invention obvious. The cited reference Wallent does not remedy the deficiencies of the cited reference Holmes.

The Issue of Obviousness

According to basic tenets of patent law, in order to support an obviousness rejection, there must be some suggestion of the desirability of making the modification, aside from the subject application. The claimed invention must be considered as a whole and the references must suggest the desirability and thus the obviousness of making the modification, the references must be viewed without the benefit of hindsight. (See MPEP sections 706.02(a) and 2141. Applicant submits that the modification of the teachings of Holmes in view of the teachings of Wallent in order to obtain the invention, as described in the claims submitted herein, would not have been obvious to one skilled in the art. There is no indication that such a modification would be desirable, nor to what purpose such a combination would be made, nor any possibility that some combination of the systems of these references would bear any resemblance to the subject invention.

The Examiner has failed therefore to present a *prima facie* issue of obviousness with respect to these claims.

In addition, there is no reason suggested in either of the cited references for the combination of references. It is well known that a combination of references must include some indication of the desirability of the combination. There is none in this instance.

In view of the remarks stated above, Applicant submits that all of the claims under consideration contain patentable subject

matter and favorable action by the Examiner is respectfully requested.

Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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